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## **AMENDMENTS TO THE CLAIMS**

1. (Original) A channel type switching method for MBMS point to point (P-t-P) and point to multi point (P-t-M) channel, when a UE having MBMS service moves to a cell in driving radio network controller (DRNC) which have a Iur interface between a serving radio network controller (SRNC), comprising the steps of:

DRNC deciding to perform switching channel type between common channel and dedicated channel based on the number of user having MBMS service in the cell;

DRNC notifying SRNC of MBMS channel type and channel parameters.

- 2. (Original) The method as set forth in claim 1, wherein said channel switching is determined by the threshold value of user number.
- 3. (Original) The method as set forth in claim 1, wherein said channel switching further comprising the steps of:

SRNC requesting DRNC to set up dedicated channel, and informing DRNC to set up the relevant information of the dedicated channel and MBMS service identifier received by the user;

DRNC counting the number of MBMS users;

DRNC deciding to set up dedicated channel or common channel according to the number of users;

DRNC reporting channel type information to be set up to SRNC;

SRNC setting up dedicated channel or obtaining common channel information from DRNC;

SRNC notifying UE to re-configure MBMS channel via RRC message to complete channel switching.

4. (Original) The method as set forth in claim 1, wherein said channel switching further comprising the steps of:

SRNC sending message to DRNC to inform MBMS service type and used channel information;

DRNC determining the channel type to be set up and informing SRNC the parameters of MBMS channel set up;

SRNC notifying UE to re-configure MBMS channel via RRC message to complete channel switching.

5. (Original) The method as set forth in claim 1, wherein said channel switching further comprising the steps of:

SRNC sending message to inquire MBMS service type from DRNC;

DRNC determining the channel type to be set up and informing SRNC the parameters of MBMS channel set up;

SRNC taking responsibility of completing setting up dedicated channel or obtains common channel information from DRNC;

SRNC notifying UE to re-configure MBMS channel via RRC message to complete channel switching.

- 6. (Currently Amended) The method as set forth in one of claim 3, 4 and 5, wherein said message transferred from SRNC to DRNC comprises MBMS service identifier the user is performing, which enables DRNC to count the number of MBMS users.
- 7. (Currently Amended) The method as set forth in one of claim 3, 4 and 5, wherein, if the UE is the first person requesting for this service in DRNC, DRNC setting up RAB connection with core network.

8. (Original) A channel type switching method for multi media broadcast and multicast service (MBMS) point to point (P-t-P) and point to multi point (P-t-M) channel, in a radio network controller, comprising steps of:

checking the number of MBMS users in a cell when a user leaves from the ongoing MBMS service;

determining the MBMS channel type according to the number of user having MBMS and a threshold; and

reporting the changes of MBMS channel type to a serving radio network controller (SRNC).

- 9. (Original) The method as set forth in claim 8, further comprising: receiving, the SRNC, MBMS channel type from the DRNC; and transmitting channel reconfiguration request message to the UE in the cell.
- 10. (Original) A channel type switching method for multi media broadcast and multicast service (MBMS) point to point (P-t-P) and point to multi point (P-t-M) channel, in a radio network controller, comprising the steps of:

transmitting, SRNC, MBMS channel information inquiry message to a driving radio network controller (DRNC);

transmitting, upon receiving the channel information inquiry message in DRNC, MBMS channel type and channel parameters of MBMS channel to the SRNC; and

notifying, SRNC, UE to re-configure MBMS channel via RRC message to complete channel switching, wherein the channel type is determined based on the number of user having MBMS service in the cell.

- 11. (Original) The method as set forth in claim 10, wherein said message transferred from SRNC to DRNC comprises MBMS service identifier.
- 12. (Original) A data communication channel establishment methods for setting up multimedia broadcast/multicast service (MBMS) with core network (CN) via driving radio network controller (DRNC), when a UE moves to a cell controlled by the DRNC, comprising the steps of:

serving radio network controller (SRNC) sending messages to the DRNC; the DRNC sending MBMS service request message to the CN; the CN requesting to set up data connection with the DRNC; the DRNC sending response message to the CN.

13. (Original) The method as set forth in claim 12, wherein said SRNC sending messages to the DRNC comprises a MBMS service identifier.